

THE BOSTON MORNING POST.
FRIDAY, JUNE 6, 1834.

STENOGRAPHIC GLIMPSES OF CONGRESS—No. 157.

Washington, June 2d, 1834.—Mr. Speaker Stevenson called the House to order this morning; and after the reading of the Journal, announced his resignation, both of the Chair and his seat in the House. He made a very appropriate and feeling address to the House, alluding to the long time during which they had been associated, (seven years) and the distinguished marks of their confidence which had been manifested in his repeated elevation to the Chair; he spoke of his arduous duties—of the many events of great party excitement which had marked his incumbency; of the forbearance, kindness, and support which had distinguished the members at all times. He dwelt at considerable length upon the occasions that might have called forth feeling in the discharge of his duty; and assured the House he had endeavored at all times, to discharge his duty with strict impartiality, having regard at the same time to the rights of the members, to the dignity of the House, and to his own honor, &c. He said he should never meet them there again; and probably never meet them all again.—If any one cherished any unkindness towards him for any unintentional offence committed in the discharge of his duty, he trusted he would forgive him; for he himself entertained not the slightest unkind recollection towards any member of the House. In conclusion, he bade them a respectful and kind farewell, and with evident emotion, left the Chair and the House.

It was about half past 11 o'clock when the speaker retired, and the House then proceeded to the choice of his successor, which, after ten balloting, resulted in the election of Mr. John Bell, of Tennessee, at 6 o'clock P. M. During all this time the House were constantly engaged in the election, determined to elect a Speaker before they adjourned.

It will be hardly worth while to undertake to give you the balloting, as you can take them from the official report. I will simply mention that on the first ballot the principal candidates stood thus: Mr. Wilde of Geo., 64—Mr. Polk, of Tenn., 42—Mr. Southard 34—Mr. Bell, of Tenn., 30—Mr. Speight 18—Mr. Wayne 15.—After the first ballot, Messrs. Polk and Bell constantly gained, while all the other candidates lost. The highest number of votes at any time was 222; the last 218, of which Mr. Bell received 114 and Mr. Polk 78. Mr. Adams, of Mass. and Col. Johnson, of Ky. conducted Mr. Bell to the Chair, and Mr. Williams, of N. C. administered to him the oath of office.

Mr. Bell made a very pertinent speech on the occasion, which you will probably receive through the papers of to-morrow.

RE-STATEMENT.
P. S. In the Senate, I understand Mr. Clay's "Restoration" Resolutions passed by a vote of 29 to 13.

The *Gag Law* enforced by the usurping Senate.—It is averred in the leading organ of the opposition, that the Senate rejected Henry Horn, Esq., who was nominated a Government Director in the Bank of the United States, because he signed an address to the people containing the following paragraph:—

"Hence the endeavor by the unpopular branch of the Federal Government, swarming with Presidential candidates, to frustrate the action of both the other branches, and arrogate to itself the executive and popular authority, to make and prevent appointments to office, to originate bills of revenue, or to arrest them as it pleases; to annul the House of Representatives and the President! Yes! Fellow citizens: it is the pretence of a great struggle which is to decide whether the simple principles of the federal constitution shall be preserved, as General Jackson's administration has uniformly and earnestly labored to preserve them, in harmony with the States Sovereignty, and the sovereignty of the people, or be swallowed up in a Senatorial oligarchy, hereafter to sit in conclave and misrule."

The aforesaid organ remarks thus on the act of the Senate:—

"We ask the candid and intelligent people of this country to ask themselves what would be their opinion of the Senate if they had confirmed such a nomination? Let the office holders take warning and cease to abuse the Senate."

This is a fair specimen of Whig liberty—but it has a strong affinity to the *gag law* liberty under the elder Adams. No man is to be allowed to speak against the Bank, though Senators with impunity. It is the safest way; their conduct will not bear investigation. If the Bank managers in the Senate had any regard to consistency—if they had any desire to square their actions with their professions, they would hardly, while declining against proscription for opinion's sake, be the most proscriptive of any body. No, no—these Bank Senators sacrifice honesty and consistency on the altar of ambition and gold.

American Tonnage.—From the Report of the Secretary of the Treasury recently made to Congress, the Registered, Enrolled and Licensed Tonnage of the United States amounts to 1,439,450 21-95 tons, divided among the States and Territories as follows:—

	Tons.
Maine,	192,714 63-95ths
New Hampshire,	17,126 54 "
Massachusetts,	395,924 23 "
Rhode-Island,	40,607 22 "
Connecticut,	52,878 79 "
Vermont,	1,531 04 "
New York,	319,209 80 "
New Jersey,	33,143 53 "
Pennsylvania,	88,162 11 "
Delaware,	13,265 64 "
Maryland,	80,702 70 "
District of Columbia,	17,225 3 "
Virginia,	43,577 55 "
North Carolina,	32,142 17 "
South Carolina,	15,560 75 "
Georgia,	8,651 45 "
Ohio,	9,683 72 "
Tennessee,	3,047 1 "
Michigan,	1,753 74 "
Alabama,	7,240 31 "
Mississippi,	926 43 "
Louisiana,	61,171 74 "
Florida,	1,911 28 "
Key West,	1,091 72 "

It will be seen that New England owns nearly one half of the whole tonnage of the country. Massachusetts owns more than one quarter, and has the largest amount of tonnage of any State in the Union, having upwards of seventy-six thousand tons more than the State of New York.

The Globe says that Mr. Bell, the successful candidate for the Speaker's Chair, is from the district in which the President resides, and has given an uniform, able, and consistent support to all his measures. He is a man of fine genius, high attainments, and distinguished by his eloquence.

The *Rebellion* at Harvard "goes ahead," unmindful of the terrors of the Grand Jury, or the power of the College government. The young rogues must be ducked in Quinby Lake, on the Common—that'll cool 'em.

Some of the brokers in New York continue to sell lottery tickets, in defiance of the law.

CONGRESS.

On Monday, the Senate resumed the consideration of Mr. Bibb's resolution for an amendment relative to the election of President and Vice President of the United States which after debate, was referred to a select committee, consisting of Messrs. Bibb, Benton, Webster, Calhoun and Forsyth.

Mr. Clay moved to suspend the orders of the day and take up the joint resolutions submitted by him, disapproving of the removal of the public deposits, and requiring them to be placed, after the 1st of July next, in the Bank of the U. States, which was agreed to. After rejecting an amendment proposed by Mr. Benton, and a proposition by the same gentleman to appoint a Select Committee to take the subject into consideration, the Senate, at half past 6 o'clock, ordered the resolutions, as originally offered by Mr. Clay, to be engrossed for a third reading without a division.

In the House, Mr. Speaker Stevenson resigned his office with a neat and appropriate speech, and the House proceeded to elect his successor which was accomplished after ten ballottings.

The following table exhibits the result of each of the ten ballottings which took place:—

	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Wilde,	64	61	59	49	37	24	16	11	11	11
Polk,	42	53	57	59	67	67	73	78	76	78
Sutherland,	34	30	26	25	16	16	10	9	4	4
Bell,	30	39	46	49	57	65	76	97	104	114
Speight,	18	16	8	4	3	1	3	3	2	1
Wayne,	15	13	15	25	30	36	26	13	8	6
Williams,	4									
E. Everett,	3	1								
Chilton,	2									
Hubbard,	2	1	1	2	1					
Gamble,	1	1								
Gilmore,	1									
Blanks,	4	2	4	7	5	5	10	7	6	6
J. Q. Adams,						2				
Hardin,	1									
Lane,	1									
Marshall,				1						
Archer,										
Crockett,				1						
Coulter,						1	1			
Binney,										1
Total,	220	223	219	221	219	214	215	219	211	218

On the 10th ballot 218 votes were given—110 necessary for a choice. JOHN BELL, of Tennessee, having 114, was declared duly elected, and having been conducted to the Chair, addressed the House in an appropriate speech.

Mr. Steele's majority over Mr. Stewart, for member of Congress from Maryland, in place of Mr. Dennis, deceased, was 1000 votes. Mr. Steele was the Bank candidate.

Tremont Theatre.—The celebrated personator of Yankee characters, commenced an engagement last evening, as *Soloman Swap*.

Pop Emmons made a speech on Wednesday night, in which he discussed almost every thing but the merits of his own oratory, and wound up by thanking the audience for the many favors and kindnesses he had received from there "fathers and mothers."

A man in Worcester has been compelled to give bail in the sum of \$100, for his appearance before the Court of Common Pleas, to answer to the charge of cruelly beating his oxen.

The ladies are speculating in bank stock at a great rate in New York—they have taken 3214 shares in the new Phenix Bank.

Bank Cattle.—A lot of bullocks were sold in New York, on Monday, from the farm of Henry Clay.

From the Charleston Courier of Friday last.

From Matanzas.—The brig Marion, craft, arrived at this port yesterday, in a very short run from Matanzas, having left that port on Sunday last. The Marion has only been absent from this port 14 days, 7 of which she lay in the port of Matanzas.

By this arrival, we received a file of papers to Saturday last, inclusive, and the following letter from our attentive correspondent.

"Matanzas, May 24th.—The demand for all description of island produce yet continues; our stock of Sugars is considerable, and prices may decline a trifle, a very small portion has gone to the United States this season, and if the demand there should revive, prices may possibly be maintained. As usual at this season, brown sugars are much sought for."

The Atlas Bank went into operation on Monday.—We learn that on Wednesday discounted \$210,000. A pretty good beginning. One of the Bye Laws of this Bank provides that "No person shall be eligible as a Director of this Corporation, until he shall have made and signed a declaration that he will not, while a Director, be a borrower of money from the said Bank, for paper that may be signed or endorsed by him."—*Transcript.*

Accident.—One of the decayed and forlorn looking popular trees standing on the site of the Elliot Mansion House, corner of Tremont and Beacon streets, was broken, about ten feet from the ground, by the violence of the storm yesterday afternoon, and in its fall struck Mr. Titus Welles, President, of the Eagle Bank, who was passing at the moment, prostrated him to the earth, and we regret to learn injured him severely.—*Ibid.*

Boston and Providence Railroad.—A large number of our citizens, says the Dedham Patriot of yesterday, were on Wednesday morning highly gratified with a view of the Engine and Cars destined to ply between Boston and Providence on the Railroad. They arrived about ten o'clock at Low Plain, about two miles from this village, with the proprietors and directors, on an experiment excursion. The engine worked admirably, and fully answered the expectations of those interested.

Rats.—A number of the opposition presses are beginning to be very earnest in their protestations that they are not in favor of the Bank. The U. States Telegraph alleges that the friends of the administration shall not have the advantage of being considered the only persons who are opposed to it; and the New York Mercantile Advertiser declares that it will not be driven into a support of it. This looks rather squally for Mr. Biddle.—*Balt. Rep.*

A violent storm was experienced at Charleston on the night of the 30th ult. No material injury was done, but it is to be apprehended that the cotton in the neighborhood of the city, from the tender state of the plant, has received some damage.

John Ratliff and John Flinn, two prisoners confined in the Zanesville, Ohio, jail, quarrelled a few evenings since, and came to blows. Flinn struck Ratliff upon the head with piece of board he picked up in the room, and fractured his skull so severely as to cause his death in a short time.

A young lady had a very handsome French gold watch stolen from her side while attending divine worship in the Chatham street Chapel, on Sunday night.—*N. Y. paper.*

Miss Adelaide Kemble, a young daughter of Mr. Chas. Kemble, is completing her musical education at Paris, under Signor Pordon.

A dividend of three per cent. for the last six months, has been declared by the Bank of Baltimore, payable on and after the 24 of June.

UNITED STATES CIRCUIT COURT.
Boston, June 3d, 4th & 5th, 1834.

UNITED STATES vs. HENRY TOBEY, master of brig Carroll, which sailed from Boston, for Richmond, on Sunday, the 17th of November, 1833. The indictment set forth, that Henry Tobey, on the 19th November, wickedly, piratically, and feloniously, inflicted one mortal bruise and contusion, with a large and heavy piece of wood, on the right shoulder, and under the right ear, of one George Hart, cook of said vessel, whereof the said Hart "did languish, and languishing, did live till the 20th Nov., when he died."

[The great length of this trial compels us to abridge it very considerably, and to omit altogether the learned openings by Andrew Dunlap, Esq. for the Government, and Joseph Willard, Esq. for the Defendant. For the same reason, much testimony, establishing Captain Tobey's character for mildness and humanity to his crew, and professional skill, are necessarily excluded, as well as much of the cross-examinations, but we believe the report is sufficiently full to exhibit the principal features of the whole case, and to enable the public to understand clearly the grounds upon which the jury so speedily came to a result favorable to the Defendant.]

William Henry, [colored, 22 years of age]—The Carroll sailed on Sunday, 17th November—Henry Hart was cook—he appeared to be well—he cooked till Tuesday morning, when the captain asked me to cook dinner, and said Hart did not know how to cook. On Monday, between breakfast and dinner, I saw the mate whip Hart—again in the afternoon—Tuesday forenoon the mate flogged him again. On Tuesday afternoon, between 4 and 6 o'clock, the captain ordered Hart to pump. Hart took hold of the breaks, but was so weak he could not pump. Captain said "pump," and Hart tried again, but could not. Captain then said, "D—n you, if you don't pump, I'll kill you." Hart tried once more, but could not. The captain then took up that stick of timber [present in Court, 6 feet 4 in length, 4 in thick, 6 wide, but from which a handspike had been made since the blow was given to Hart.] He swung it over his shoulder, and struck Hart on the right shoulder, with it, the end striking the right cheek, on which there was a bunch or bloody mark about the size of half a dollar. Hart fell, when the blow struck him. The mate then put a rope round Hart's neck, and hauled him forward to the bows, where he left him holding on to the rail, where the water was breaking over him.

The next I saw of Hart he was in the fore-castle, about dark; he was groping and crawling round like a man out of his head—I could not get him to speak—he mumbled out something occasionally, but we could not understand what he meant—captain said nothing after the blow was given, but walked up and down the star-board side—after the blow he laid the piece of wood against the stern of the long boat. During Tuesday night Hart laid part of the time on the floor, or deck, and part of the time on a chest. On Wednesday, about dinner time, he was put into his berth, and between 11 and 12 o'clock, that night, he died—Hart never spoke, ate, or drank, after the blow—was sowed up and thrown overboard on Thursday morning. The captain drove the mate ashore at Richmond—the piece of wood is ash.

Cross-examined.—Hart only said "Yes, sir," when captain told him to pump. I was standing on some spars that extended to the cabin—have always testified so, when asked. The mate commenced beating Hart on Monday; on Tuesday, he struck him with a frying-pan on the right cheek, and flogged him with a rope—saw the mate, on same day, strike Hart across the back, and on the top and back of his head, with a keg stove. On Monday night, after the mate began to beat Hart, he began to appear weak. The mate kicked him in the belly and side—the mate was very unkind, and was turned away. When Hart was struck with the wood, his back was towards the captain. I don't know that the captain knew that the mate abused Hart in the manner he did. The mate, after Hart fell, dragged him forward, on his knees; it was about dinner time, on Tuesday, when the mate kicked him in the belly. The captain did not appear to strike with much violence. My attention was called to the spot, by hearing the captain repeatedly calling upon Hart to pump. At Richmond, I said it would go hard with the captain. We did not speak of it at Richmond, because it is a slave place, and a black man's word is good for no more than a dog's there. I never said the mate killed him—I first met William Hart at my grand-mother's, in Buttolph street—did not tell her the first time I saw her that the captain struck Hart.

Abraham Francis, [colored]—I was at the helm—the mate sent the cook forward to pump the ship out—he was so weak and feeble he could hardly walk—he held on to the rail to steady himself—the captain then told him to pump her out—caught up the piece of wood, and said several times—"take hold of the breaks"; then struck at him—saw the blow pass towards Hart, and saw him fall—he laid 3 or 4 minutes till the mate dragged him forward with a rope round his neck, and jammed him up against the weather cat-head, where he lashed him, and where the sea broke over him.—About three-quarters of an hour afterwards, saw Hart lying at bottom of the fore-castle steps—never heard him speak—on Wednesday morning, the captain ordered me and Armstrong to lay him in his berth—there was life in him then—he did not speak—threw him overboard on Thursday morning—confirms the mate's beatings, &c. I did not hear the captain say to Hart, "If you don't pump I'll kill you," as Henry testifies. Denies having made any different statement from the present—said nothing about it at Richmond, because it was a slave place.

Abraham Armstrong—[colored] was turning the ball of chafing gear for the 2d mate—heard the order to pump—heard no threat to kill—heard the cook fall, turned my head round, and saw the captain laying down the piece of wood—the mate dragged him forward, and made him fast on the weather bow, in the wet [on the first examination, on the 1st of Jan. this witness thought that Hart was drowned, or strangled by the sea breaking over him.] Saw the various beatings given to Hart by the mate—saw the body up—felt the jaw bone, and thought it was fractured—never said the mate killed Hart—did not talk about it with any one—did not speak of it in Richmond because it was a slave place—I don't know where the printing office was that we went to—we wrote down what we said I believe.

Dr. George Hayward heard the testimony of the preceding witnesses, and saw the piece of timber—of opinion that such a blow might cause death, by producing a concussion on the brain—can think of nothing that caused the loss of reason and speech, except the blow from the wood—that effect might have been produced even if it had not struck the head. We do know that blows apparently slight, sometimes produce a concussion, or jar, of the brain—in concussions of the brain, a deep sleep follows—also vomiting—severe blows are often struck on the head, without producing concussion, the most important portion of the brain is at the base—the effect follows soon after the blow. [These opinions, as far as they related to this particular case, were much qualified on the cross examination.]

Dr. Charles T. Jackson—heard the above evidence—thinks that such a blow, as testified to, would cause death—I should think that a blow struck by a great body of matter, like the piece of wood, near the back of the head, would produce a concussion. I think if he did go down in the fore-castle, he must have retained some intelligence, and only the base of the brain and spinal marrow could have been affected. A heavy jar on the jaw might be communicated through the articulation of the jaw to the brain, and produce concussion—I should think this piece of wood would produce this effect. If the person had been rendered feeble by previous beatings, the concussion would more readily follow.

Daniel Williamson—Shipped last December, at Norfolk, as chief mate of Carroll. Francis and another of the crew told me that the former mate had flogged the cook severely—Francis said the cook was ruptured—night before we got home Francis was going to stab

me, and told me he would do with me as he intended to do with the captain, when he got ashore. Tobey treated the crew well—never saw him in a passion all the time I've been with him.

Charles Roll—had sailed with Captain Tobey, both as seaman and mate—when drunk once, he struck Capt. T. who did not return the blow.

Edward Robinson—had been 3 or 4 voyages with Tobey—found him a very mild man—never saw harsh to his crew.

Joseph Hart—exhibits a model of the deck, &c. of the brig Carroll—long boat, with a smaller boat, bottom up, resting on it, the height of both being 7 feet, stood between the place where Henry said he stood, and the place where the cook was when alleged by Henry to have been knocked down by the captain.

Joseph H. Cottrell—shipped the Carroll's crew—day after she returned, Armstrong and Henry said they liked the captain very well, and should like to sail with him again—had used them very well—should not want to sail with a better man—said they had lost the cook—next day, Armstrong said the mate had whipped the cook several times, but he had never seen the captain strike him—Henry was by, and heard what Armstrong said. When I went after cook, to get him on board, he walked very slow, and stooped.

John Snowden [2d mate]—I was at helm on Sunday afternoon—saw Hart fall three times on plain deck. On Monday morning the mate commenced flogging Hart with a rope, and with a hoghead stave, whenever he could conveniently come at him—struck him over the head, body, and thighs so often he could not count. On Tuesday, the mate beat him again on the head and body, with the hoghead stave, because he did not cook the dinner right on Monday. On Wednesday forenoon, Hart was holding candle for me while I was overhauling some rigging in the fore-castle—mate came down with stave again, and said to H., "You d—n rascal, what are you doing there." I told the mate he was holding the candle for me—upon that the mate struck Hart down with the stave, and afterwards punched him in the side and body with it. I told mate he would kill Hart if he did not take care—mate replied, "I don't care a cent for killing a Bengallee." Mate drove Hart up on deck—presently Hart came down again, and the mate after him, and struck him as before with the stave. In the afternoon, the mate ordered him to scrape the quarter-deck, but he could not do it, but set down. The captain told him to scrape five or six times—Hart made no reply—captain then told him to pump out—in going to the pump, he fell forward three times—I went forward of the pumps, and stood at weather side of mainmast, with Armstrong—next that I saw of Hart he was lying between the spars and the pump, and the captain was walking up and down the starboard side. The mate put the bite of a rope round Hart's neck, and was hauling him to the weather side of the windlass. Tobey told the mate to knock off, as he did not want to see any such work as that—the mate then took hold of Hart by the arm, and led him. I never saw captain T. strike a man in my life—I am certain that I did not see a piece of wood in his hand at the time. That night, about 12, Armstrong told me that Hart was dead—I told the captain of it—he said he was sorry—Hart had received a wound on his jaw on Wednesday forenoon. On Thursday forenoon, the captain told me to make a handspike out of this piece of wood that was lashed to the spars, by four lashings. The board was about a foot wide, and twelve feet long. I made a handspike out of one end, and this pin rack out of the other—I am certain the plank was lashed to the spars when the cook fell down. At Richmond, the mate got intoxicated, and gave lumps of plaster at the men at work—captain Tobey told him to let the men work, if he would not work himself. Next day he came on board drunk again—went down into the fore-castle—Armstrong and Henry dragged him up from the fore-castle, by the nap of the neck, and said to him, "You have killed one man in the fore-castle already, but you shall not kill another there." One night, in a boat, in James' River, the mate struck Armstrong in the cheek, and we all said we would report him when we got home, for what he had done to the cook. We got along very comfortably after the mate left us.—[Cross examined—I did not see the cook fall—had not seen him for two or three minutes before—the mate was at leeward.]

Benjamin Ray, [14 years old] cabin boy—The piece of wood was 12 or thirteen feet long, and about a foot wide—it was lashed alongside of the long boat—remained there till Thursday. On Tuesday, Hart walked on his hands and knees—did not perceive that he walked badly till after he was struck.

William Parker—day after arrival in port of the Carroll, I hailed Armstrong and Henry, to know what had been the difficulty on board—they said they were going to attach the blame of Hart's death to the captain—said that Hart was sick when he went on board—thought he died from sickness—were going to make the captain suffer for it.

Gage Richardson—was master of a vessel at Norfolk, when the Carroll arrived there—crew of the C. on board of my vessel every evening, and never mentioned the death of their cook—Captain Tobey said he had lost a man, when 3 days out.

Abraham Mace—mate of a vessel laying off Richmond—heard Henry say that one man had died on the outward passage—Call, the 1st mate of the Carroll, wanted to exchange situations with me—I asked him why—he replied, "Because I think I've been the means of a man's death."

John W. Crowther—2d mate of Exeter, at Richmond—heard Armstrong say to Snowden that the mate had struck Hart on the head with a heaver—Armstrong said they meant to swear the cook's life against the mate.

Austin Josselyn—clerk in Mr. Eldridge's store—William Henry came into store, on Tuesday after arrival of the brig Carroll, with Mrs. Hart, and a white man named Alger—Mrs. Hart wanted to see Mr. Eldridge, to find out the particulars of her husband's death—I told her that captain Tobey had written home that Hart had died 3d day out, of hernia. Henry spoke up, and said he knew how he came to his death—the mate beat him.

Isaac L. Langton—knew Hart—in skylarking with him once, I pushed him on to a chair—Hart told me not to do so again, and intimated that he was afflicted with hernia—he did not use any particular term, but used words to that amount.

Dr. Lewis—thinks that the band [worn by Hart, in court] is designed to check the hernia—should hardly think that the blow described by Henry, would have produced death—it is possible that, by grazing the jaw, it might produce concussion—the collar-bone could not be fractured in the position in which Hart was said to be standing.

Dr. G. W. Otis—conceives the above band to have been used as a truss for hernia.

William Bishop has been on the coast of Africa—every native wears a bandage like the present—it is worn both with and without other covering.

William Henry [recalled]—the 2d mate (Snowden) talked to me about it in the galley—he asked me what I thought of it—I said I did not know what to think—says he, "don't say anything about it, as it will go hard with the old man." I did not have to look over the small boat—the small boat was n o t laying as the small boat in the model lies—in standing on the spars I could look along by the side of the small boat. I went to a printing office in the building the Post Office used to be in, with a white gentleman, whom I did not know—stopped there about 10 minutes.

Abraham Armstrong [recalled]—the 2d mate advised me to say nothing about Hart's death, as it would get the old man into trouble.

John Snowden [recalled]—I never used any such expressions as testified to by Henry and Armstrong.

W. R. Washburn, Esq., closed the case in behalf of Captain Tobey, with a long and very minute examination of the evidence and contradictory statements made by the government witnesses, and attempted to show that the idea of charging Captain Tobey with the murder of Hart, was an after thought—and a conspiracy

entered into after visiting the printing office, with the unknown white man.

Andrew Dunlap, Esq., followed, by observing in the outset, that he did not consider Captain Tobey was otherwise guilty, than having unfortunately given Hart an unlucky blow, but without the remotest idea of inflicting a serious injury, and much less, to produce the death of the deceased; but he considered the fact of such a blow having been struck by Capt. Tobey, to be clearly established by the government witnesses, if they were entitled to belief—and it should be remembered that their testimony had not been impeached, in the ordinary mode of discrediting witnesses, in any important particular, though the defendant's counsel had every opportunity of breaking them down, if it were practicable, by assailing their characters; and that the striking of such a blow with such a dangerous instrument, rendered Tobey answerable for the death which ensued.

Judge Story was about two hours and a half in reviewing the evidence and charging the jury; and we regret that we have not room to notice all the views presented by him. He commenced by stating, that the first question that arose, was, whether Tobey had inflicted the blow charged in the indictment; 2d, whether the blow so struck caused the death of Hart. Both of these facts must be established beyond a reasonable doubt, before the government could be entitled to a verdict of guilty, and if proved, the question as to the intention arises. In this connexion, Judge Story remarked, that the Counsel in behalf of the Government had placed the facts before the jury with the greatest possible candor; "and I am happy," continued he, "to have this opportunity of saying, that since that gentleman has conducted the prosecutions for the government, I have always witnessed that he never presses home an unfavorable point in the testimony beyond its fair and proper weight, and this fairness is highly honorable to himself, and creditable to the government." The Judge immediately passed to the evidence of William Henry, the only one who swore that he actually saw the blow struck, after the captain said, "D—n you, I'll kill you, if you don't pump." "If you believe this witness," said he, "there can be no doubt that it was murder—the blow being utterly disproportioned to the offence, and, connected with the threat, argues such a brutality of disposition, as, in the eye of the law, is considered malice—and a brutal malignity, that shows a mind fully bent on mischief, and such a case as the law imputes genuine malice to." "This expression is a material fact in the case, but was not heard by Francis, Armstrong, or the mate, all three of whom were nearer than Henry, and who all heard the captain's order to pump. Now if you don't believe that Captain Tobey, who is remarkable for the mildness of his manners, did not use the expression sworn to by Henry, ought you to believe anything else he says? If you don't believe that fact, then Henry's testimony is demolished, and you need not perplex yourselves with any further questions. Henry has also stated that the mate killed the cook, but he has sworn here it was the captain—both statements can't be true; and will you take away a man's life upon the accusation of one, who has openly charged another man with the offence?" The Judge analyzed the testimony with great minuteness, and arrayed the various discrepancies against each other with convincing effect. He dwelt at length upon Captain Tobey's good character, and especially upon the circumstance that Henry and Armstrong, would like to go on another voyage with him, and did not wish for a better mate—[see Cottrell's testimony.] "Could this be possible," asked his honor, "if this man, whom they professed so to like, had committed such a murder on a poor, weak, unprotected old man?" After commenting in the same style on other portions of the testimony, he instructed the jury, that if they did believe the blow alleged had been struck, yet they could not convict Captain Tobey, unless the medical testimony satisfied them beyond a reasonable doubt, that the death was occasioned by that blow alone. After giving his view of this testimony, he committed the case to the Jury, who, after retiring four minutes, came into court, and announced a verdict of NOT GUILTY.

The declaration of the verdict was received by an audible expression of approbation, from quite a number of the spectators, and Judge Story assured Capt. Tobey, that in the whole course of his judicial life, he had never received a verdict that gave him more satisfaction, or more in accordance with his views and feelings, and congratulated him upon being able to return to the bosom of his friends and fellow citizens, with a character unscathed by the ordeal through which he had passed.

THE LAST SUPPER.—The Proprietor of this Magazine, Copy, in Wax, of the LORD'S SUPPER, respectfully informs the public that at the suggestion of many individuals, the Exhibition, hereafter, will be open at the MASONIC TEMPLE, EVERY EVENING.

By this arrangement, an opportunity to witness this beautiful specimen of Art, will be afforded to those whose occupations preclude the possibility of attending such Exhibitions during the day.

Hours of Exhibition from 11 A. M. till 1 P. M.; from 3 till 6 P. M., and from 7 till 9.

The room will be open for visitors from 6 till 9 o'clock P. M. on SUNDAY EVENINGS.

do-4 bales white wax-35 boxes, 14 half boxes, 36 quarter do
cigars.
SAGUA-Brig Charles Welles-164 hds, 3 tierces, 2 barrels
molasses-4 hogheads sugar-16 pieces cedar-22 hds, 123
tierces, 8 bbls honey.
BONAIR-Schr Reeper-500 brls salt.
MIRAGONE (St Domingo)-Bark Mercator-400,000 lbs
logwood.
GUAYAMA-Brig Aurora-56 hds, 6 brls sugar-115 hds
molasses.
GOTTENBURG-Brig Eurotas-22,296 bars (620 tons) iron.
YARMOUTH (N. S.)-Schr Mary Jane-13 crds wood-41
brls cotton-300 lbs scrap iron.
VINDSOR (N. S.)-Brig Charlotte-150 tons plaster.
ST JOHNS, N. F.-Schr Dawn-ballast.
CUMBERLAND, N. S.-Schr Lombard-1800 pieces
grindstones.
BRIDGEPORT-Schr Rambler-5 chd coal.
ST JOHNS, N. B.-Schr John-2000 bush salt.

SHIP-NEWS-1834.

PORT OF BOSTON-THURSDAY, June 5.

ARRIVED.
Ship Hamilton, Langdon, Matanzas 23d ult. Sailed in co
brig Hope, Doughty, Portland.
Brig Gambia, Chase, St. Jago, Cuba, 10th ult. Left brigs Ga-
zelle, Hoyt, and Montano, Gray, for Trieste.
Brig Oscar, Knight, Matanzas 23d ult. Spoke 4th inst, South
Shoal W 30 miles, brig Trio, for Portland for Havana.
Brig Ork, Sutton, Matanzas 17th ult. Left brig
Brig Kahant, Parker, Trinidad 15th ult. Left brig
hence, and sch Caroline, Wing, do, 2 d before; brig Abigail
Richmond, Harding, New York 4 or 5; Welch, from
Philad, ar 2 days before. Brig Chas Miller, for New York, sailed
3 days before. Saw yesterday, about 20 miles E of Cape Cod,
a brig bottom up, and 2 schs alongside, endeavoring to right
themselves.
Brig Aurora, Olase, Guayama, and Platlans, P.R. 17th ult.
Left at former, brig Cashier, Parsons, disd. At latter, brig De-
les, for former same day.
Brig Charles Wells, Couillard, Xagua, Cuba, 8th ult. Spoke
21st, off Mariel, brig Adams, 9 days from Honduras for New
York; 27th, lat 25j, lon 74j, brig Iris, Harding, 17 days from
N Orleans for Bremen.
Brig Critterion, McIntyre, New Orleans.
Brig Alexander, Childs, New Orleans.
Brig William, Old, Savannah.
Brig Clarice, Mellis, Savannah.
Brig Calo, Porcival, Baltimore.
Brig Moscow, Norris, Baltimore.
Brig Patron, Varel, Baltimore.
Brig Fairy, Wing, Philadelphia.
Brig Charlotte, Hall, New York.
Brig Lucy, Davis, New York.
Sch Atlantic, Stevens, Aquin, St Domingo.
Sch Reeper, Robinson, Bonair.
Pr sch Rambler, Terzio, Bridgeport, CB.
Br sch John, Doggett, St John, NB.
Sch Ogden, Litchfield, Richmond.
Sch Leonidas, Anderson, Fredericksburg.
Sch Empress, Baker, New York.
Sch Nile, Baker, New York.
Sch Horse, Peirce, New York.
Sch Waukino, Crowell, New York.
Sch Renown, Lovell, New York.
Sch Oscar, Baker, New York.
Sch Orleans, Chase, New York.
Sch Cordelia, Baker, New York.
Sch Crown, Baker, Providence.
Sch Sally Hope, Baker, Providence.
Sch Despatch, Nichols, Providence.
Sch Norwich, Crosby, Norwich.
Sch Moro, Farrow, Middletown.
Sch Long Waarf, Cook, Provincetown.
Sch Geo Washington, Whitney, Nantucket.
Sch Enterprize, Hancock, New York.
Sloop Franklin, Swain, Nantucket.
Sloop Ames & Polly, Crowell, New York.
Sloop Empress, Bears, Albany.
Brig New York, Davidson, from Philadelphia, with coal,
struck on the Spit last night-remains, and has bilged.

CLEARED.
Brig Levant, Packard, Norfolk.
Capt Ryder, of the White Oak, from Martinique, fell in with
34 inst, off Cape Cod, brig Splendid, Wiebe, 16 hours from
Bath for Matanzas, abandoned, having sprung leak 10 hours
out, and filled to the cabin floor. Put the 1st officer on board
-2 men were afterwards obtained from brig Clarice, from Sa-
vannah, and this morning she came into port, and was run on
the flats at South Boston. She was pumped out yesterday.
[The Splendid was subsequently fallen in with by brig Au-
ra, who took off the officers and crew.]

At Matanzas 25th ult, ship Flavian, from Havana, for Cron-
stadt next day; bark Highlander, Foster, 16 days from Boston,
ar 21st; brig Baltimore, Hathaway, hence, ar 23d; sch Ward,
Atkins, from Wilmington. Sailed 23d, brig Watchman, Pat-
erson, Riga; Neptune, Pittman, Boston.

PORTLAND 3d-ar brig Franklin, Hart, Boston; sloop Fa-
vorite, do.

WARREN 3d-ar brig Renews, Spooner, Havana 23d ult.
Left ship Jacob Perkins, Cronstadt next day; brig Rowe, Ca-
dy, Boston 4; Patolis, do 4.

NEW YORK 3d-ar ship Groton, Baker, Havre 24th April.
Ship Lewis Cass, Whittier, Mobile. Spoke 24th, off Cape
Florida, brig Lackawanna, of Boston, from Honduras for New
York.

Brig Samaritan, McKenzie, Mayaguez 22d ult. Left brigs
Leader, for Newburyport 3; Triumph, Moore, do 3; George,
Cogan, do 4.

Sch Hyder Ali, Gould, Key West 22d ult. Spoke 25th, lat
34, lon 75j, ship Duxbury, Hooper, 2 days from Charleston for
Sld ship Morrison, Lavender, Canton.

4th-ar ship Russia, Cook, Rio Janeiro.
BALTIMORE 2d-ar brig Junius, Elwell, Boston.

NORFOLK 1st-sailed brig Norfolk, Mathews, Boston.
CHARLESTON 29th-sld ship Julian, Liverpool; Heroine,
Rotterdam.

Brig ar brig Marion, Croft, Matanzas 4 ds.
Cld ships Plymouth, Ackerman, Liverpool; John Hale,
Crowell, Havre; Canton, Harvard, do.

31st-ar ship Seaman, Harding, Boston.
Cld ship Columbia, Liverpool; schs Chas Edmonson, and
Emerald, Boston.

SAVANNAH 27th-cld ships Hamilton, Balls, and Carroll of
Charleston, Liverpool.
29th-cld ship Inez, Jacques, Greenock.
30th-cld brig Rome, Davis, Havre.

MOBILE 22d-brig Martha, Wadsworth, Boston.
Cld bark Nashua, Prindle, Liverpool.
NEW ORLEANS 21st-ar ships Girard, Richardson, Green-
ock; Helen Mar, Cook, Boston; brig Lunar, Storer, do.

Cld ship North America, Folger, Liverpool.
23d-cld cld brigs Pioneer, Milliken, Marseilles; Talma, Liv-
erpool; sch Gen Wayne, Vose, Boston.
ar sch Bolton, Jones, Havana.
20th-cld ships Margaret, McIntosh, Havre; Ann Mary Ann,
Clark, Liverpool; brig Aladdin, Welch, Boston.

FOR AUX CAYES.
The coppered brig THOOSA, Powers master, is
now loading for the above Port, and can take the bulk
WM. F. WELD, 25 Central Wharf. epif June 3

FOR NEW ORLEANS.
The first sailing packet, brig WILLIAM, M. T. Curtis,
master, is now loading at the Lina wharf, and will sail on
Thursday next. For freight or passage apply to SAMUEL R.
ALLEN, No. 110 Milk street. is7p may 29

FOR SMYRNA.
Direct.
The coppered brig JASPER, Simmons, master, has
three quarters of her cargo ready to go on board, and
will have quick despatch. For freight of the bulk of fifty tons,
or passage, having good accommodations, apply to WILLIAM
F. WELD, 25 Central wharf. epist may 28

FOR SALE, FREIGHT, OR CHARTER.
The fine low deck Schooner HALCYON 131 tons,
18 months old, for terms apply to JAMES AN-
DREWS & SON, 8 Central Wharf. isf m 16

FOR BELFAST-WITH DESPATCH.
The regular packet sch MECHANIC, J. Clark,
master, will sail as above. For freight or passage,
apply to S. E. Benson, No 42 Commercial street, or
to the master on board at the Eastern Pier. may 16

WATCHES AND JEWELRY.-Ladies' Gold
Watch, Chain, and Chain, Keys, Ear Rings, Finger
Rings, Pins, &c. of the most fashionable patterns, may be had
at A. CUTLER'S, 217 Washington st. June 4

SITUATION WANTED.-By a young man in a W.
S. L. Goods store, or bar room, good references can be given
Apply at No 4 Brattle square. June 4

SITUATION WANTED.-By a first rate gardner, who
can produce good references-apply at 4 Brattle square.
June 4

BILLS OF EXCHANGE.-Copperplate Bills of Ex-
change, Notes, Drafts, &c. of approved forms, for sale at
9 and 99 State street, by OLIVER HOLMAN. ap 13

FOR RENT.-A house near the State House-\$450 and
taxes. Apply at SPEAR'S Real Estate Office, 15 Ex-
change st. may 7

APPLE JUICE.-24 barrels warranted pure Apple
Juice, racked from the lees. For sale at 42 Commercial
street, by SETH E. BENSON. ap 18

CHEAP CALICOES.-SETH S. LYDNE, Pember-
ton Hill, has on hand, 10 cases dark and light Calicoes, at
12j cts per yard. ap 29

COFFEE.-50 bags prime St Domingo Coffee-now
landing-for sale by F. E. WHITE, 22 Long wharf.

TREMONT THEATRE.
THIS EVENING, June 6,
Will be performed an entire new play called
THE CARAVAN OF NAPLES!
Or-The Murderous Knell!
Count Cosenza Mr Johnson
Manfredi Mrs Smith
Orghutis (concealed under the name of Nina) Harry Kniff
To conclude with a
SOIREE MUSICALE.
In which Madame Freudenstuss, M. Frudenstuss, Mr Carl
Schnepf, and Fr. Schief, will appear.
Doors open at 1-4 before 7 o'clock. Performance will
commence at 1-4 past 7.
Prices, 1st and 2d Tiers of Boxes 18. Third Tier off-box
75 cents. Pit 50 cents. Gallery 25 cents.

**HIGH STREET HOSPITAL AND BOARD-
ING HOUSE, FOR THE SICK AND LAME.**-
DR. E. SMITH takes this method to inform his friends and
the public, that he has taken a large and pleasant house, No
54 High street, between Federal and Atkinson streets, for the
accommodation of the Sick and Lame, who may apply to him
for help, upon the following
CONDITIONS.
1. Nothing of a poisonous nature shall be given, on any oc-
casion whatever; such as quicksilver under the names of mer-
cury, calomel, corrosive sublimate, arsenic, antimony, nitre,
opium, laudanum, &c. No blistering, bleeding, steaming, or
pouring cold water.
2. For boarding men, \$3 per week, women, \$2 per week,
exclusive of washing.
3. For one course of medicine, \$2.50; some deduction from
the above, if paid in advance. Advice gratis.
4. All persons who come without recommendations from
others that can be relied on, must obtain security if re-
quired, or pay a certain sum in advance.
5. Money due for board must be paid every other week, un-
less an arrangement is made to the contrary, upon certain con-
ditions.
6. No person received to be attended, to be out later than ten
o'clock at night, or drink spirituous liquors.
7. People (who live in the city or country) who come to be
attended once, and stay one or two nights, to pay \$3 for board
and attendance.
8. Those who come or send their children or friends, may
depend upon their being treated in a faithful and friendly man-
ner.
The following are among the many diseases which have been
and may be cured with the Vegetable Medicines:-Ague in the
face, pain in the Ears, Eyes Inflamed, recent Deafness, Catarrh,
Dropsy, Swelled Neck, loss of speech, King's Evil, Lock Jaw,
Stiff Neck, Asthma, Rheumatism, Consumptive Complaints,
Dyspepsia, Palpitation of the Heart, Palsy, Piles, Tape Worm,
Jaundice, Cholera, Cholera, Salt Rheum, Stranguary internal
Bleeding, Chills, Lepra, Leprosy, Female Complaints gener-
ally with many others, too numerous to mention here.
A great variety of Vegetable Medicines prepared by E.
Smith, and constantly for sale at No. 54 High street, and by
Daniel Little, No. 13, Tlleston-street, North End. Also, by
John Ross, Haverhill, Mass.

VEGETABLE MEDICINES.
Prepared by Dr. E. Smith, 54 High street, Boston.
The following are among the many preparations kept con-
stantly for sale at No. 54 High street:-
Vegetable Elixir. Excellent for pain in the stomach and
bowels, and Rheumatic complaints.
Pills. For the head, and bilious complaints, costiveness,
dyspepsia, and difficulties in the stomach and liver.
Vegetable Powders. Useful for cold and foul stomach, violent
colds, cough, sore throat, and to relieve from threatened fevers.
Vegetable Bitters. For Jaundice, loss of appetite, sickness in
the stomach, head ache, &c.
Balanic Ointment. A certain cure for humors, corns, stiff
joints, shrunk cords, stiffness in the neck, rheumatic com-
plaints, swelling in the throat, chilblains, chapped hands,
weakness and pain in the back, sores, ringworms, cuts and
burns.
Olive Ointment. Very useful for Salt Rheum, as many can
testify.
Health Restorative. Excellent to remove obstructions in the
kidneys, for stranguary, diabetes, and various female com-
plaints.
Rich Powders. Good for whooping cough, and ulcers in the
throat.
Cathartic Drops. Excellent for indigestion, liver complaints,
stranguary, obstructions in the kidneys, and a certain cure for
costiveness.
Orders for any of the above medicine will be attended to
faithfully.

EYE AND EAR INFIRMARY. No. 54 High street. Dis-
cussing the eye and ear diseases, and the treatment of them.
Catarrh, and other difficulties of the Head, attended to with
safety and success, on reasonable terms. June 6

FANCY GOODS.-On hand at present, a great variety
of Prints, Hair Brushes, Fancy Toys, Cutlery, Plated and
Britannia Ware, Fancy Boxes, Baskets, Spectacles, Goggles,
Scissors, Knives, Razors, Shaving Boxes and Brushes, Sicil,
Horn, Gilt and Brass Combs of all kinds, Wallets, Razor
Strops, Gilt Buckles and Pen-slides, and crossed Band Bags,
Purses, Thimbles, Watch Chains, Seals and Keys, at 251
Washington street, 7 doors South of Marlboro' Hotel, by
BRUCE & CO. June 6

FOR SALE AT A BARGAIN.-A splendid doub-
le-barrelled fowling piece, with highly finished percus-
sion locks, carved stock, &c. &c. made by Louis Malherbe,
of Marseilles, expressly for the present owner. It is a first rate
article, has been very little used, and will be sold for about one
half the cost of importation. Sportsmen are invited to
embrace this opportunity for furnishing themselves with a first
rate Gun, at a low price. Inquire at No. 21 Water street,
where the Gun may be seen. isf June 6

HYDRAULIC CEMENT.-SETH E. BENSON,
Agent for the sale of L. Barnes & Co's superior Hydraulic
Cement, is ready to supply orders for the Cement in any quan-
tity, warranted to give satisfaction to Masons and Builders,
who are respectfully invited to call and purchase at 42 Com-
mercial street. is2aw6w June 6

PORTO RICO MOLASSES AND SUGAR.-
79 Hhds. 15 Tierces of prime Retailing Molasses-10 bags
superior Porto Rico Sugar, now landing and for sale by JOHN
TYLER, No. 9 Central Wharf. June 6

FOR RENT.-A house in Myrtle street. Apply at
SPEAR'S Real Estate Office, No. 15 Exchange street.
June 6

JUST RECEIVED and for sale by JOHN MARSH,
No. 34 Washington street, Discourses, Reviews and Mis-
cellanies, by William Ellory Channing. June 6

PRESSED HAY.-20 tons pressed Hay, a prime lot
and in good order, for sale at 42 Commercial street, by
SETH E. BENSON. June 6

WANTED.-A young man in a provision store. Apply
at No. 4 Brattle square. June 6

COACHMAN WANTED.-Apply at No. 4 Brattle
square. June 6

WANTED.-A young man in a private family. Apply
at No. 4 Brattle square. June 6

WANTED.-A man to work in a stable. Apply at No.
4 Brattle square. June 6

WILLIAM SHELTON respectfully informs the
public, that he has taken at No. 11 William's court,
rear of No. 15 Washington street, where he will attend to
Cleaning-Bronzing-Lacquering and Repairing every descrip-
tion of Lamps and Fancy Brass and plated ware-Time Piece
Circles and Pendulum Bells-Cane Frames-Side Board, Desk
and Counter railing-Screw Cutting-and Brass Work in gen-
eral.
N. B. At the same place all kinds of Silver and Plated Ware
mended and repaired at short notice. June 5

ONE CENT REWARD.-Whereas, Thomas Cass an
indicated apprentice to JAMES C. SNELL, having left my
employment without reason, this is to forbid all person har-
boring or trusting him on my account.
North Bridgewater, June 2, 1834. June 4

BOARD.-A parlor suitable for two gentlemen, or a
gentleman and his wife, together with board, in a genteel
boarding house, may be had on application to A. HAWKES,
on the premises, rear of Tudor's Buildings, Court street.
may 30 epif

SATIN BEAVER HATS.-The subscriber has just
received a large lot of the above beautiful article-which
he invites his friends and the public to call and examine, at
No. 8, State street, north side, 3 doors from Washington st.
CHARLES I. HORSMAN. epif-ap 26

WOOL.-1000 lbs No. 1 and 2 Lambs'-also, a few bales
of Fleeced-for sale by GEO. P. THOMAS, Nos. 51 &
53 Broad st. ti may 15

GEORGE P. THOMAS. Nos. 51 and 53, Broad at
has for sale 100 lbs Moss and No 1 Beef.
Also, a few tons of Bologna Hump. isf may 28

CHECKS.-Blank Checks of any Bank in the City or
Country, neatly printed, may be had at this Office, on rea-
sonable terms. ap 19

PRIME ENGLISH FIRE BRICK.-For sale
a few thousand first quality English Fire Brick, at
BLANEY'S Granite Factory, No 9 Congress square. m 14

GROCERY STORE TO LET, and \$2000 Stock
for sale on reasonable terms. Apply at this Office.
June 2

FOR RENT.-A Store on Washington street, near the
Marlboro'. Apply at Spear's Real Estate Office, 15 Ex-
change st. June 2

FOR SALE.-1000 lbs prime Nutmegs by GEO. P.
THOMAS, No 51 & 53, Broad st. ti may 15

WANTED.-Several young men in hotels and private
families, apply at 4 Brattle square. June 3

WARREN THEATRE.
THIS EVENING, June 6,
Will be performed (3d time) a new Romantic Spectacle in 3
acts by Mr J. S. Jones, with new scenery and decora-
tions, entitled the
ICE QUEEN!
Or The Frozen Hand.
Mordac (Prince of Sweden) Mr F. S. Hill
Hailiana (the Ice Queen) Mrs Felby
Previous to which, the Favorite Drama in 3 acts, called
VICTORINE, OR ILL SLEEP ON IT.
Marquis de Valvriar (in love with Victorine) Mr Fenno
VICTORINE Miss PELBY
Boxes 50 cents-Pit 25 cents. *No money taken at
the doors.
Doors open at 7. Curtain will rise at 7 1/2 o'clock.

F. S. HILL'S BENEFIT.-A CARD.-The patrons
of the WARREN THEATRE, and the public generally
are respectfully informed that F. S. HILL'S
LAST BENEFIT THIS SEASON will
take place on MONDAY EVENING, June 9th, when will
be acted, first time in Boston, a new Drama, with scenes of
FUN, FROLIC and FLASH, entitled the
RAKE'S PROGRESS!
with other appropriate entertainments.
Warren Theatre, June 6, 1834. 3tis

ATHENEUM GALLERY.-The Eighth Annual Ex-
hibition of Pictures in the Athenaeum Gallery will be
opened on MONDAY, the 26th of May, at 6 o'clock, A. M.
THOMAS W. WARD,
ISAC P. DAVIS,
THOMAS G. CARV,
WM. T. ANDREWS,
Price of Tickets-Season, 50 cents; single, 25 cents.
Boston, May 20, 1834. 1st

MACOMBER, WELCH & CO'S.
RARE COLLECTION OF BEASTS AND BIRDS.
Just arrived from South Af-
rica, in the ship Susan-con-
sisting of SEVENTY LIVING
SPECIMENS OF NATURAL HIS-
TORY, the greater part of which
are unlike any ever before ex-
hibited in America. The exhibi-
tion will commence in the
large building in Union street,
near Hanover street, on MON-
DAY, June 2d, and will con-
tinue for a short time only.
Hours of exhibition from 2 o'clock to 6 in the afternoon,
and from 7 to 10 in the evening. For particulars see bills.
Admittance 25 cents. ti-may 30.

**STATE MUSEUM.-TO THE LOVERS OF HAR-
MONY.**-MADAME DUCHESNE will inform her friends
and patrons that she has engaged MONS & MADAM CAN-
DERBECK from New York, who have performed upwards of
fifty nights in succession to crowded houses, and who will con-
tinue to perform at the Museum every evening.
Their professional attainments have already obtained them
great distinction among the citizens of the principal cities of
the Southern States. For order of performance see bills of
the day.
Performance to commence at half past 7 o'clock. Admit-
tance to the whole 25 cents. may 23

BOSTON AND WORCESTER RAILROAD.
The Passenger Cars will continue to run daily from the
Depot near Washington street to Newton, at 6 and 10
o'clock, A. M. and at 3 o'clock, P. M.
Returning, leave Newton at 7 and a quarter past 11 A. M. and
a quarter before 5 P. M.
Tickets for the passages, either way, may be had at the Ticket
Office, No. 617 Washington street, price 37j cents each, and for
the return passage, of the Master of the Cars, at Newton.
May 29-epist F. A. WILLIAMS, Clerk.

**OFFICE OF THE COMMISSIONERS FOR
BUILDING A CUSTOM HOUSE IN NEW YORK.**
No. 1 Nassau street, May 22, 1834.
SEALED PROPOSALS will be received at this office until
the 25th of June next, for the furnishing and delivery of
Cut Stone for the basement story of the building which is
nearly finished on Wall street, and two hundred feet of
sawed lumber, and about fourteen feet high. The material must
be either of marble or granite of the best quality, and be delivered
at the site of the building, cut and fitted ready to be laid up,
in conformity with the working plans and specifications which
may be seen at this office, where further and more particu-
lar information may be obtained on application to Mr Samuel Thom-
son, the Superintendent.
The proposals must be accompanied with wrought specimens
of the marble or granite proposed to be delivered, which must
be uniform in color, and must specify the time within which
the work will be delivered, and of which will probably be re-
quired before the 15th day of September next.
SAMUEL SWARTWOUT,
WALTER BOWNE,
ELISHA THIBBIS, } Commissioners.
may 24

PROPOSALS.-MASSACHUSETTS STATE PRISON
will be opened on the 5th of June next, for one year's supply
of 2000 yds Ratnet, one half to be red, and the other half
Indigo blue. The cloth to be delivered on or before the 1st
of August next. Samples of the cloth required may be seen by
calling at the Prison.
2 to 3000 bales Maple or Birch Charcoal, are wanted at the
Prison during the present season. Persons wishing to supply
the above articles are requested to send in their proposals.
CHARLES LINCOLN, Jr. Warden.
2aw5kd5c5

PROPOSALS.-MASSACHUSETTS STATE PRISON.
Proposals will be received at the Mass. State Prison, and
will be opened on the 5th of June next, for one year's supply
of the following articles:-Milk, Sole Leather, Winter and
Summer strained Sperm Oil, Naylor & Sanderson's and
Graves & Son's Cast Steel. The above to be delivered at the
Prison from time to time as may be wanted.
Also, for teaming stone to Boston, and in Charlestown.
CHARLES LINCOLN, Jr. Warden.
May 14, 1834. 2aw5kd5c5

**JOS. BLUXOME, TAILOR AND WOOLLEN DRA-
PER.** at the Old Stand, No. 3 Brattle street, has recently
received a large assortment of new Cloths, Cassimeres and Ven-
etians, to which he respectfully invites the attention of his friends
and the public to decide on such additions to their wardrobe
may require for the season.
J. B. takes this opportunity of making his acknowledgements
for the liberal patronage which he has been favored with, and
trusts to merit the continuance of the same, by using every ne-
cessary exertion to give satisfaction. The establishment is
stocked with a general assortment of fashionable Ready Made
Clothing, to which the requisite seasonal additions are con-
stantly making, and which will be sold cheap, for cash.
JOS. BLUXOME,
No. 3 Brattle st.
march 29 ep6m No. 3 Brattle st.

STRAW BONNETS. At Reduced Prices.-The sub-
scriber, wishing to dispose of his stock of Straw Bonnets,
will offer them for sale at a less price than can be obtained at
any other store in the city, viz:
Super Tuscan Bonnets, from \$2.00 to \$2.50
" Fancy " " \$2.00 to \$2.50
" Eleven Brads " " \$1.50 to \$2.25
" " " " " \$1.00 to \$1.50
Also, a large assortment of different styles and prices that
cannot fail to suit purchasers. Ladies in want of Bonnets will
do well to call soon, to get good bargains, at ISRAH FAXON'S
Wholesale and Retail Straw Bonnet Store, No. 91 Court street,
2d door from Concert Hall. im June 5

NOTICE IS HEREBY GIVEN. That SAMUEL
PORTER, by Indenture, dated the 29th day of May last,
assigned his property, rights, claims and interests, to subscribers
for the purpose of paying his creditors who may become parties
thereto, within sixty days from that date. A copy of the In-
denture may be found at HUGH MONTGOMERY'S Office
BREWSTER RAYNOLDS, } Assignees.
HUGH MONTGOMERY, }
June 5

PROPOSALS will be received by the Commanding Of-
ficer of the Watertown Arsenal, until the 20th inst, for the
delivery on the lower wharf of the Arsenal, of 1236 square feet
of Granite, each stone to have 14 inches rise and at least 12
inches bearing, and to be not less than 7 feet long. Propos-
ers will state the price per square foot on the face or rise.
June 5-cop3w H. K. CRAIG, Major of Ordnance.

FOR SALE IN CAMBRIDGEPORT.
A small, convenient house, situated on Winsor
street. The building is nearly new, well painted, with
cellars and blinds. Persons wishing to purchase will do well to
call, as the must be sold soon if sold at all. For terms and par-
ticulars apply to ROBERT DOUGLASS, near the premises.
Cambridgeport, June 4, 1834. 8tis-j 5

PAPER.-For sale-a lot of paper of the same size and
weight on which the Morning Post was recently printed-
comprising about 150 reams, which may be had on reasonable
terms. Apply at this office. June 5

NOTICE.-A RARE CHANCE.-For sale, the
stock and trade of a GROCERY STORE; one of the
best stands in this city for that business, being near the Depot
of the Worcester Railroad. Inquire at this office. isf-j 2

AUCTION SALES.
BY EDWARD F. HALL,
Office, Nos. 88 and 90 Water street.
GENELEE FURNITURE.
This Day, at 9 o'clock, at the house 54 Poplar street,
The furniture of a gentleman relinquishing house-keeping,
consisting of green dining, card and parlor tables-2 hair
cloth sofas-1 mahogany secretary and book case-carpet-
astral and mantle lamps-time piece-looking glasses-mahog-
any and fancy chairs-1 set elegant water-fancy prints and
engravings-1 mahogany wardrobe-1 complete dining set-
china tea set-1 set glass tumblers-wines and champagne
glasses-silver table and tea spoons-do tea and water pot-
linen table cloths and napkins-beds bedding and mattresses-
mahogany and other bedsteads-do bureaus-chamber carpets
and chairs, and many other useful articles of household Furni-
ture.
Also, A large lot of kitchen furniture, with which the sale
will commence.
Also, 1 brass fire set
1 do splendid China chess men
1 superior stuffed rocking chair.
At 11 o'clock
1 elegant parlor grate
The above furniture has been in use but a few months,
and is nearly as good as new-can be examined on Thursday,
at which time, ladies and gentlemen are requested to call.

BY JAREZ HATCH, JR.
Office, No 69 Congress street.
CUTLERY.
This Day, at 9 o'clock, at office,
A large invoice of pen and pocket knives and razors, consist-
ing of 100 doz superior finished knives, from 1 to 4 blades-
Roger's and Johnson's fine razors in cases-do fine steel scis-
sors on cards-shoe knives.
Also, a great variety of fine goods, consisting of inkstands
-glass bottles-razor straps-toy watches-tooth brushes-
wood combs-iron and Britannia spoons-lead pencils-purcu-
sion caps-German paint boxes-steel pens-tailors' thimbles
medallion gilt watch keys-heads-ever pointed pencils.
Also, 1 case handkerchiefs-drawing knives-1 do trunk locks
-1 do white twine-300 boxes small cigars.

BY F. E. WHITE,
Store, No 22 Long wharf
RUSSETT APPLS.
This Day, at 11 o'clock, opposite No 20 Long wharf,
-unavoidably postponed to first fair day-
90 bbls superior Russett Apples.
DAMAGED FLOUR.
To-morrow, at 11 o'clock, at 22 Long wharf,
50 bbls. Fredericksburg middling Flour, slightly damaged.
BRIG GOLD HUNTER.
To-morrow, at 12 o'clock, opposite 58 Long wharf,
-to close a concern-
The superior coppered and copper fastened brig
GOLD HUNTER, 204 tons burthen, built at Dun-
narscott of the best materials, 5 years old, carries a
large cargo, is a fast sailer and is in every respect
an excellent vessel of her class, has two chain cables, and is
otherwise well found. Her inventory may be examined and
further particulars known by applying at No 55 Long wharf,
or to the auctioneer. Terms at sale.

BRIG CRITERION.
To-morrow, at 12 o'clock, opposite No 54 Long wharf,
(or immediately after the sale of brig Gold Hunter),
-to close an account-
The brig CRITERION, 154 tons burthen, built at
South Shore, sheathed in the best manner with cop-
per nails in November last, and new standing rig-
ging, has nearly two suits sails, two chain cables,
sued inventory may be examined, and further particulars known
on application at No 55 Long wharf, or to the auctioneer.
Conditions at sale.

BY DANIEL HERSEY,
Office, Nos 5 and 6 Exchange street.
ASSIGNEE'S SALE.
This Day, at 11 o'clock, at celler No 11 Faneuil Hall Market,
1 fall shill 1, 100 lbs-2 doz do do-10 new half bbls-11
old bbls-2 hhd 1 half do lot salt, &c.
By order of the Assignee.
On Tuesday next, at 1 o'clock, in Liberty Square,
Taken on sundry writs, and will be sold at public auction.
One shaggy grey mare, 5 years old, perfectly sound, an ex-
cellent saddle horse and kind in any harness. By order of W.
G. Babbitt, Constable.

BY LORING NEWCOMB,
Office, No 5 & 6, Exchange st.
To-morrow, at 9 1/2 o'clock, at office,
A good assortment of new and second hand clothing-consist-
ing of coats-pantaloons-vests-boots-shoes-hats, &c.
-also, at 11 o'clock-
A variety of house furniture-consisting of beds-bedsteads-
tables-fancy and other chairs-1 portable closet-1 portable
sack-crockery and glass ware-kitchen furniture-and numer-
ous other articles.

